

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 13TH OCTOBER 2006 / 21ST ASWINA 1928

Bail Appl..No. 6148 of 2006

CMP.5256/2006 of J.M.F.C., KODUNGALLUR
CRIME NO.275/2006 OF MATHILAKAM POLICE STATION
.....

PETITIONERS/1 TO 13 ACCUSED.

1. SATHEESAN, AGED 37 YEARS,
S/O.VASUDEVAN, THEKKINIYEDATH HOUSE,
KOORIKKUZHY DESOM, KAIPAMANGALAM VILLAGE,
THRISSUR DISTRICT.
2. RAMESH, AGED 26 YEARS,
S/O.VASUDEVAN, THEKKINIYEDATH HOUSE,
KOORIKKUZHI DESOM, KAIPAMANGALAM VILLAGE,
THRISSUR DISTRICT.
3. SUDEEN, AGED 38 YEARS,
S/O.CHANDRAN, PALLATH HOUSE,
KOORIKKUZHY DESOM, KAIPAMANGALAM VILLAGE,
THRISSUR DISTRICT.
4. SUJITH, AGED 24 YEARS,
S/O.CHANDRAN, PALLATH HOUSE,
KOORIKKUZHY DESOM, KAIPAMANGALAM VILLAGE,
THRISSUR DISTRICT.
5. JOSHY, AGED 34 YEARS,
S/O.DHRMAN, KAVUNGAL HOUSE, KOORIKKUZHY DESOM,
KAIPAMANGALAM VILLAGE, THRISSUR DISTRICT.
6. BHASKARAN, AGED 32 YEARS, S/O.DHARMAN,
KAVUNGAL HOUSE, KOORIKKUZHY DESOM,
KAIPAMANGALAM VILLAGE, THRISSUR DISTRICT.
7. JOY @ BIJOY, AGED 20 YEARS,
S/O.PHALGUNAN, KAITHAVALAPPIL HOUSE,
KOORIKKUZHY DESOM, KAIPAMANGALAM VILLAGE,
THRISSUR DISTRICT.
8. SHAJI @ BLACK SHAJI, S/O.KUTTAN,
KAITHAVALAPPIL HOUSE,

KOORIKKUZHY DESOM, KAIPAMANGALAM VILLAGE,
THRISSUR DISTRICT.

9. SURYAN KUTTAN @ SATHYAN, AGED 35 YEARS,
S/O.KESAVAN, KOZHYPARAMBIL HOUSE,
KOORIKKUZHY DESOM, KAIPAMANGALAM VILLAGE,
THRISSUR DISTRICT.

10. PANCHABI SAHTYAN @ SATHYAN,
AGED 30 YEARS,, S/O.SREEDHARAN,
KOZHYSSERY HOUSE, KOORIKKUZHY DESOM,
KAIPAMANGALAM VILLAGE, THRISSUR DISTRICT.

11. PAZHACHAKKA SIVAN @ SIVAKUMAR,
AGED 32 YEARS, S/O.VASU, KOCHIKKATT HOUSE,
KOORIKKUZHY DESOM, KAIPAMANGALAM VILLAGE,
THRISSUR DISTRICT.

12. KUTTAPPAN DADA @ KISHORE,
AGED 37 YEARS, S/O.VELAYUDHAN, ARAVEETIL HOUSE,
KOORIKKUZHY 18TH MURI, KAIPAMANGALAM VILLAGE,
THRISSUR DISTRICT.

13. MANOJ, S/O.NATARAJAN, KOZHYSSERY HOUSE,
KOORIKKUZHY DESOM, KAIPAMANGALAM VILLAGE,
THRISSUR.

BY ADV. SRI.P.G.SURESH

RESPONDENTS: COMPLAINANT.

STATE OF KERALA,
THE CIRCLE INSPECTOR OF POLICE, VALAPPAD POLICE
STATION, THRISSUR DISTRICT, REP. BY THE
ADDITIONAL PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI 31.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13/10/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. 6148/2006

DATED THIS THE 13TH DAY OF OCTOBER, 2006

O R D E R

The petitioners, accused 1 to 13, are before this Court, under Section 439 Cr.P.C., in crime No.275/2006 of Mathilakam Police Station, Thrissur District, for the offence punishable under Sections 143, 147, 148, 448, 324, 307 and 302 IPC read with Section 34 IPC and also under Section 27 of the Arms Act. The petitioners are in judicial custody, having arrested on different dates. The learned counsel for the petitioners submits that ninety days are over and therefore, prayed for bail.

2. The learned Public Prosecutor submits that the petitioners are belonging to a particular gunda group of the locality and there was the death of a person, belonging to the opposite gunda group. If the petitioners are released on bail, they would repeat the same offence and there is also threat to their lives, from the group of the

person, who died. In such circumstances of the case, the learned Public Prosecutor submits that bail may be refused, as the final report had already been filed.

3. As the investigation is being complete and the final report having filed, I direct the learned Magistrate to immediately commit the case to the Sessions Court, and the prosecution shall ensure that the witnesses are produced on summons from the Sessions Court and the learned Sessions Judge shall complete the trial at the earliest, in any case within three months from the date of receipt of the committal records, to that Court.

The application is dismissed as above.

**J.M.JAMES
JUDGE**

mrCS